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February 20, 2007

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Chief Clerk and Administrator
c/o Daphne Duke (electronic mail)
Public Service Commission of South Carolina
Synergy Business Park
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184508
COPY
dated: D. Duke
by: SA. O/S
2/21/07

RE: ***Docket No. 2006-37-C***

Petition of the Office of Regulatory Staff for a Rule-Making Proceeding to Examine the Requirements and Standards to Be Used by the Commission When Evaluating Applications for Eligible Telecommunications Carrier (ETC) Status and When Making Annual Certification of ETC Compliance to the Federal Communications Commission

Dear Mr. Terreni:

In accordance with the Commission's procedural directive in connection with the above-styled matter, Sprint Nextel Corporation ("Sprint Nextel") through this letter submits its Comments regarding the final proposed "Guidelines for Designating Eligible Telecommunications Carriers and Requirements for Existing Eligible Telecommunications Carriers" ("Guidelines") filed with the Commission on February 7, 2007.

Sprint Nextel generally supports the proposed Guidelines, and anticipates that these rules will facilitate wireless ETC designations in South Carolina. However, the Commission should take this opportunity to address two concerns prior to issuing the final Guidelines. First, Sprint Nextel respectfully requests that the Commission reconsider the requirement in subsection D(b) of the proposed Guidelines ("*Filing Deadlines*"), which would require companies to file their annual reports on August 15 of each year based on data for the twelve-month period ending June 30th. A forty-five-day turn around period is an inadequate amount of time for companies to compile the highly detailed and extensive information identified in subsection D(a) of the proposed Guidelines. Several states and the Federal Communications Commission ("FCC") allow ETCs to compile their annual reports based on data for the most recent calendar year (ending 12/31/xx), and Sprint Nextel strongly recommends that the

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Commission amend subsection D(b) so as to reflect this more reasonable and more obtainable requirement.

Second, Sprint Nextel is concerned that the current wording of subsection D(b) of the proposed Guidelines improperly expands the scope of the annual certification that this Commission is required to provide to the FCC. Ideally, the language in this subsection should more closely track the FCC's certification rules, 47 C.F.R. Sections 54.313 and 54.314. Accordingly, Sprint Nextel recommends that subsection D(b) be revised to read as follows:

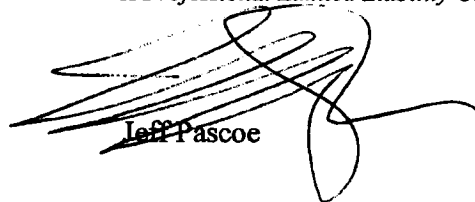
“(b) *Filing Deadlines.* In order for a common carrier designated under 47 U.S.C. Section 214(e)(2) to continue to receive support for the following calendar year, or retain its eligible telecommunications carrier designation, it must file with the Commission and provide a copy to the ORS the annual reporting information in paragraph (a) no later than August 15, 2007, and thereafter annually by August 15 of each year. The information provided should cover the ~~previous~~ twelve (12) month period ending December 31st of the preceding calendar year ~~June 30th~~. The ORS shall review each ETC annual report and notify the Commission in writing as to the ORS's opinion as to whether the carrier is in compliance with federal and state regulations and rules. The Commission, after holding a hearing, if it deems a hearing is necessary, shall determine based upon the information provided to it whether it should certify that carrier pursuant to 47 C.F.R. Section 54.313(a) or 47 C.F.R. Section 54.314(a) ~~the carrier is in compliance with federal and state regulations and rules~~ and shall notify the Federal Communications Commission and the Universal Service Administrative Company of each company's compliance by October 1 of the reporting year thereby ensuring that each ETC designated by the Commission is authorized to receive federal support for the upcoming fiscal year.”

Please acknowledge your receipt of this document by file-stamping the copy enclosed and returning it in the enclosed envelope (both enclosed with the original sent via USPS). By copy of this letter, I am serving all parties of record. Please call me if you should have any questions regarding this matter. Thank you for your assistance.

Very truly yours,

WOMBLE CARLYLE SANDRIDGE & RICE

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Jeff Pascoe

Enclosure

cc: Service List